## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:

Roderick MacKinnon

SERIAL NO.:

NO YET ASSIGNED

EXAMINER: UNKNOWN.

FILED:

HEREWITH

ART UNIT:

UNKNOWN

FOR:

ASSAYS FOR SCREENING COMPOUNDS WHICH INTERACT WITH CATION

CHANNEL PROTEINS, MUTANT PROKARYOTIC CATION CHANNEL

PROTEINS, AND USES THEREOF

## **STATEMENT**

MAIL STOP PATENT APPLICATION COMMISSIONER FOR PATENTS P.O. BOX 1450 ALEXANDRIA, VA 22313-1450

Dear Sir:

Applicants submit herewith an Information Disclosure Statement, listing references 1 through 178 on the attached Form PTO-1449.

This IDS was submitted in parent application USSN 09/275,252 March 24, 1999 with copies of all the listed references.

Applicants respectfully request that all copies of the cited references be transferred from the parent case to this continuation application filed herewith.

Respectfully submitted,

DavidyA. Jackson
Attorney for Applicant

Reg. No. 26,742

KLAUBER & JACKSON 411 Hackensack Avenue Hackensack, New Jersey 07601

Dated:

July 3, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Attorney Docket No.: 018512-002901US

Assistant Commissioner for Patents Washington, D.C. 20231

on October 29, 200/

TOWNSEND and TOWNSEND and CREW LLP

By: H Member

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MacKINNON, Roderick

Application No.: 09/275,252

Filed: March 24, 1999

For: ASSAYS FOR SCREENING COMPOUNDS WHICH INTERACT WITH CATION CHANNEL PROTEINS, MUTANT PROKARYOTIC CATION CHANNEL PROTEINS, AND USES THEREOF

Assistant Commissioner for Patents Washington, D.C. 20231

Examiner:

Bugiasky, Gabriele E.

Art Unit:

1653

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37

CFR §1.97 and §1.98

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Page 2

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

This IDS is being filed after the mailing date of the first Office Action and more than three months after the filing date, but prior to the Notice of Allowance or Final Office Action.

Please deduct \$180.00, pursuant to 37 CFR §1.17(p), from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

This Petition is submitted in triplicate.

Respectfully submitted,

J. David Smith Regy No. 39,839

TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8<sup>th</sup> Floor San Francisco, California 94111-3834 Tel: 415-576-0200

Fax: 415-576-0300

JDS:him

SF 1285615 v1

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO		Complet if Known		
		Application Number	09/275,252	
INFORMATION DISCL	OSURE	Filing Date	March 24, 1999	
STATEMENT BY APPI	LICANT	First Named Inventor	Roderick MacKinnon	
		Group Art Unit	1653	
(use as many sheets as nece	essary)	Examiner Name	Bugiasky, Gabriele E.	
Sheet 1 of 12		Attorney Docket Number	018512-002901US	

<u>.</u>		·	U.S. PATENT DOCU	MENTS	
Examiner Initials *	Cite No.1	U.S. Patent Docume  Kind Cod (if known	e <sup>2</sup> Name of Patentee or Applicant	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1.	5,010,175			
	2.	5,288,514			
	3.	5,539,083			· · · · · · · · · · · · · · · · · · ·
	4.	5,593,853			·
	5.	5,549,974			
	6.	5,525,735			
-	7.	5,519,134			
	8.	5,506,337			
	9.	5,288,514			
	10.	4,857,453			
	11.	4,313,734	Leuvering		
	12.	4,373,932	Gribnau et al.,		
	13.	4,703,017	Campbell et al.,		
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	FOREIGN PATENT DOCUMENTS							
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	Cite No.1	Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)	Name of Patentee or Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	T⁵
	14.	wo	91/19735			26 Dec. 1991		
······································	15.	wo	93/20242	-		14 Oct. 1993		
	16.	wo	92/00091			9 Jan. 1992		
	17.	US	96/10287					
	18.	wo	88/08534		MAY et al.,			
	19.	wo	90/02545					
***	20.	European	0,281,327					
	21.	European	0,280,559					

Examiner Signature	Date Considered	

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<sup>1</sup> Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substitut	e for form 1449A/PTO			C mplete if Kn wn		
			Application Number	09/275,252		
INFC	RMATION [	DISCLOSURE	Filing Date	March 24, 1999		
STA	TEMENT BY	APPLICANT	First Named Inventor	Roderick MacKinnon		
			Group Art Unit	1653		
	(use as many sheet	ts as necessary)	Examiner Name	Bugiasky, Gabriele E.		
Sheet	2	of 12	Attorney Docket Number	018512-002901US		

OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS					
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>		
	22.	Koyama et al., FEBS Lett, 341:303-7 (1994)			
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	· <b>25</b> .	Ferrer et al., J Biol Chem, 270:26086-91 (1995)			
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Date Examiner Considered Signature

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substit	ute for form 1449	A/PTO			Complete if Kn wn	
				Application Number	09/275,252	
INF	ORMATIC	ON DIS	CLOSURE	Filing Date	March 24, 1999	
STA	ATEMENT	<b>TBYA</b>	PPLICANT	First Named Inventor	Roderick MacKinnon	
				Group Art Unit	1653	
	(use as man	y sheets as	necessary)	Examiner Name	Bugiasky, Gabriele E.	
Sheet	3	of	12	Attorney Docket Number	018512-002901US	

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Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.				
	37.	Ng et al., Langmuir, 11:4048-55 (1995)				
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Signature	Considered	

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Substitute for form 1449A/PTO Complete if Known **Application Number** 09/275,252 INFORMATION DISCLOSURE Filing Date March 24, 1999 STATEMENT BY APPLICANT Roderick MacKinnon First Named Inventor 1653 Group Art Unit (use as many sheets as necessary) Bugiasky, Gabriele E. **Examiner Name** Sheet Attorney Docket Number 018512-002901US of 12

		OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS	
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	65.	Blatz et al., <i>Nature</i> , 323:718-720 (1986)	
	66.	Park, J. Physiol., 481:555-570 (1994)	

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Examiner	Date	
Signature	 Considered	

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Substitut	te for form 1449	PAPTO			Complete if Kn wn
				Application Number	09/275,252
INFO	DRMATI	on dis	CLOSURE	Filing Date	March 24, 1999
STA	STATEMENT BY APPLICANT		First Named Inventor	Roderick MacKinnon	
				Group Art Unit	1653
	(use as many sheets as necessary)			Examiner Name	Bugiasky, Gabriele E.
Sheet	5	of	12	Attorney Docket Number	018512-002901US

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Examiner		Date	
Signature		Considered	

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Application Number 09/275,252

INFORMATION DISCLOSURE Filing Date March 24, 1999

STATEMENT BY APPLICANT First Named Inventor Roderick MacKinnon

Group Art Unit 1653

(use as many sheets as necessary) Examiner Name Bugiasky, Gabriele E.

Attorney Docket Number

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Examiner Initials *	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the article (when appropriate), title item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-iss number(s), publisher, city and/or country where published.			
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PTO/SB/08A (08-00)

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Substitut	e for form 1449A/PTC	)			C mpl te if Kn wn
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INFO	INFORMATION DISCLOSURE			Filing Date	March 24, 1999
STA	TEMENT B	Y A	PPLICANT	First Named Inventor	Roderick MacKinnon
			Group Art Unit	1653	
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Sheet	7	of	12	Attorney Docket Number	018512-002901US

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	97.	Readhead et al., Cell, 48:703-712 (1987)			
	98.	Shani, <i>Nature</i> , <b>314</b> :283-286 (1985)			
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Signature	Considered	

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			_	Application Number	09/275,252
INFORMATION DISCLOSURE				Filing Date	March 24, 1999
STA	TEMENT	BYA	PPLICANT	First Named Inventor	Roderick MacKinnon
				Group Art Unit	1653
 (use as many sheets as necessary)			necessary)	Examiner Name	Bugiasky, Gabriele E.
Sheet 8 of 12		Attorney Docket Number	018512-002901US		

		OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS	
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	112.	Hagiwara et al., J. Gen. Physiol., 70:269 (1977)	
	113.	Hille et al., J. Gen. Physiol., 72:409 (1978)	
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<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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				_	Application Number	09/275,252
	INFORMATION DISCLOSURE			CLOSURE	Filing Date	March 24, 1999
	STA	TEMEN	T BY A	PPLICANT	First Named Inventor	Roderick MacKinnon
					Group Art Unit	1653
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	Sheet 9 of 12			12	Attorney Docket Number	018512-002901US

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		(use as many she	ets as	necessary)	Examiner Name	Bugiasky, Gabriele E.		
	Sheet	10	of	12	Attorney Docket Number	018512-002901US		

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INFO	RMATION	DIS	CLOSURE	Filing Date	March 24, 1999	
STATEMENT BY APPLICANT				First Named Inventor	Roderick MacKinnon	
				Group Art Unit	1653	
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Sheet	11	of	12	Attorney Docket Number	018512-002901US	

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Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.					
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INFO	DRMATION	n dis	CLOSURE	Filing Date	March 24, 1999	
STA	TEMENT I	BY A	PPLICANT	First Named Inventor	Roderick MacKinnon	
				Group Art Unit	1653	
	(use as many s	heets as	necessary)	Examiner Name	Bugiasky, Gabriele E.	
Sheet	12	of	12	Attorney Docket Number	018512-002901US	

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